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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 YENNA WU, Derivatively on Behalf of) No. C-07-02268-HRL
14 Nominal Defendant EXTREME NETWORKS,)
INC.,) PLAINTIFF'S NOTICE OF RELATED
15) CASE AND ADMINISTRATIVE MOTION
Plaintiff,) TO CONSIDER WHETHER CASES
16) SHOULD BE RELATED
vs.)
17) CIVIL LOCAL RULE 3-12, 7-11
GORDON L. STITT, et al.,)
18) DATE: N/A
Defendants,) TIME: N/A
19) JUDGE: The Honorable
– and –) Howard R. Lloyd
20)
EXTREME NETWORKS, INC.,)
21)
Nominal Defendant.)
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1 LINDA ERIKSON, Derivatively on Behalf of)
Nominal Defendant EXTREME NETWORKS,)
2 INC.,)

3 Plaintiff,)

4 vs.)

5 GORDON L. STITT, et al.,)

6 Defendants,)

7 – and –)

8 EXTREME NETWORKS, INC.,)

9 Nominal Defendant.)

10 FRANK A. GRUCEL, JR., Derivatively on)
Behalf of EXTREME NETWORKS, INC.,)
11)

12 Plaintiff,)

13 vs.)

14 GORDON L. STITT, et al.,)

15 Defendants,)

16 – and –)

17 EXTREME NETWORKS, INC., a Delaware)
corporation,)

18 Nominal Defendant.)

No. C-07-02388-RS

No. C-07-02848-PVT

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1 Plaintiff Frank A. Grucel, Jr., by and through his counsel, pursuant to Local Rules 3-12 and
2 7-11, moves this Court to (1) deem three pending derivative actions as related and (2) assign the
3 later-filed cases to the same judge, the Honorable Magistrate Judge Howard R. Lloyd, for all
4 purposes.

5 On April 25, 2007, Plaintiff Yenna Wu filed a derivative complaint entitled *Yenna Wu v.*
6 *Gordon L. Stitt, et al.*, Civil Case No. 07-cv-02268-HRL, on behalf of nominal defendant Extreme
7 Networks, Inc. On May 2, 2007, Plaintiff Linda Erickson filed a derivative complaint entitled *Linda*
8 *Erickson v. Gordon L. Stitt, et al.*, Civil Case No. 07-cv-2388-RS also on behalf of nominal
9 defendant Extreme Networks, Inc. Subsequently, on May 31, 2007, Plaintiff Frank A. Grucel, Jr.
10 filed the instant action alleging substantially the same claims on behalf of the same nominal
11 defendant, Extreme Networks, Inc.

12 On June 1, 2007, this Court issued an order relating the *Wu* case with the *Erickson* case under
13 Civil Local Rule 3-12. Both the *Wu* and *Erickson* cases are assigned to the Honorable Magistrate
14 Judge Howard R. Lloyd. The *Grucel* action should also be related to the *Wu* and *Erickson* cases as
15 they are all derivative actions brought on behalf of the same nominal defendant, including the same
16 relevant period, naming many of the same defendants, and alleging substantially similar causes of
17 action based on the same relevant events. Based on these similarities, it appears likely that there will
18 be an unduly burdensome duplication of labor and expense or conflicting results if the cases are
19 conducted before different judges in this District. Accordingly, the three actions meet the definition
20 of “related cases” set forth in Local Rule 3-12(a).

Plaintiff Grucel hereby requests that this action be deemed related to the *Wu* and *Erickson* Actions and that it be assigned to the Honorable Magistrate Judge Howard R. Lloyd, who is currently presiding over the *Wu* and *Erickson* actions.

DATED: June 8, 2007

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 8, 2007.

s/ Shawn A. Williams

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Mailing Information for a Case 5:07-cv-02848-PVT

Electronic Mail Notice List

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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